

procedure with respect thereto on appeal; containing a saving clause with respect to cases finally tried prior to the effective date of this Act; repealing all laws and parts of laws in conflict, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, April 24, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 931, "An Act to increase the criminal jurisdiction of the Seventy-sixth Judicial District Court of Morris County, transferring all criminal cases on the docket of the County Court to the docket of the District Court at the time of the passage of this Act, and to conform the jurisdiction of the County and Justice Courts of said County to such change; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, April 24, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 110, Recalling House Bill No. 84 from the Governor's office for further consideration.

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

Austin, Texas, April 24, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 111, Requesting the Governor to return House Bill No. 166 to the House for correction of a clerical error.

Has carefully compared same and finds it correctly enrolled.

BAILEY, Acting Chairman.

#### SENT TO THE GOVERNOR

April 24, 1939

House Bill No. 931.

House Bill No. 948.

House Bill No. 953.

House Concurrent Resolution No. 111.

House Concurrent Resolution No. 110.

#### SIXTY-SECOND DAY

(Tuesday, April 25, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Dickson
Allen	Donaghey
Allison	Dowell
Alsup	Dwyer
Anderson	Faulkner
Bailey	Felty
Baker	Ferguson
of Fort Bend	Fielden
Baker of Grayson	Fuchs
Bell	Galbreath
Blankenship	Gilmer
Boethel	Goodman
Bond	Gordon, Mrs.
Boyd	Hale
Boyer	Hamilton
Bradbury	Hankamer
Bradford	Hardeman
Bridgers	Hardin
Broadfoot	Harp
Brown of Cherokee	Harper
Brown	Harrell of Bastrop
of Nacogdoches	Harrell of Lamar
Bundy	Harris
Burkett	Hartzog
Burney	Heflin
Cauthorn	Holland
Celaya	Howard
Chambers	Howington
Clark	Hull
Cleveland	Hunt
Cockrell	Isaacks
Coleman	Johnson of Ellis
Colquitt	Johnson of Tarrant
Colson, Mrs.	Keith
Cornett	Kennedy
Corry	Kern
Crossley	Kerr
Davis of Jasper	Kersey
Davis of Upshur	Kinard
Dean	King
Derden	Langdon
Dickison	Lehman

Leonard	Russell
Leyendecker	Schuenemann
Little	Segrist
Lock	Shell
London	Skiles
Mays	Smith of Frio
McAlister	Smith of Hopkins
McDaniel	Smith
McDonald	of Matagorda
McFarland	Spencer
McMurry	Stinson
McNamara	Stoll
Mohrmann	Talbert
Montgomery	Tarwater
Morris	Taylor
Newell	Tennant
Nicholson	Thornberry
Oliver	Thornton
Pace	Turner
Petsch	Vale
Pevehouse	Vint
Piner	Voigt
Pope	Waggoner
Ragsdale	Weldon
Reader of Bexar	Wells
Reader of Erath	Westbrook
Reed	White
Rhodes	Wilson
Riviere	Winfree
Roach	Wood
Roberts	Worley
Robinson	Wright

## Absent

Bray	Daniel
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## Absent—Excused

Loggins	Reaves
Monkhouse	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our Heavenly Father, in the conflict of opinions that comes to every free people, and in our desire to do those things which are right and just as they present themselves to us, wilt Thou clear our minds and enable us to see the ways of wisdom, of statesmanship, and of God. In our weakness grant us strength, and give us a vision of duty as we proceed. In Jesus' name. Amen."

## LEAVES OF ABSENCE GRANTED

The following Member was granted leave of absence on account of illness:

Mr. Reaves for today, on account of illness in his family, on motion of Mr. Hardeman.

The following Members were

granted leaves of absence on account of important business:

Mr. Monkhouse for this morning, on motion of Mr. Thornton.

Mr. Loggins for this morning, on motion of Mr. Mohrmann.

Mr. Boyd for this morning, on motion of Mr. Boyer.

## TO SUSPEND CERTAIN RULES

Mr. Taylor moved that the Rules relative to the making of motions to reconsider be suspended for the purpose of making a motion to reconsider the vote by which House Bill No. 24 was tabled.

The motion to suspend the Rules was lost by the following vote:

Yeas—76

Allison	Keith
Baker	Kennedy
of Fort Bend	Kern
Baker of Grayson	Kerr
Bell	Kersey
Blankenship	King
Boethel	Langdon
Bradbury	Lehman
Broadfoot	Lock
Brown of Cherokee	London
Brown	Mays
of Nacogdoches	McMurry
Burkett	Mohrmann
Burney	Morris
Cauthorn	Newell
Clark	Oliver
Cleveland	Pace
Cockrell	Petsch
Coleman	Pevehouse
Colquitt	Piner
Cornett	Ragsdale
Crossley	Roach
Dean	Roberts
Derden	Segrist
Dickson	Skiles
Dowell	Smith of Hopkins
Faulkner	Spencer
Ferguson	Stoll
Fielden	Talbert
Galbreath	Tarwater
Goodman	Taylor
Hardeman	Thornberry
Hardin	Weldon
Harper	Wells
Harrell of Bastrop	Westbrook
Harrell of Lamar	White
Holland	Wilson
Hunt	Worley
Johnson of Ellis	Wright

Nays—45

Allen	Bailey
Anderson	Bradford

Bridgers	Little
Bundy	McAlister
Celaya	McDaniel
Chambers	McFarland
Colson, Mrs.	Montgomery
Corry	Reader of Bexar
Davis of Jasper	Reader of Erath
Davis of Upshur	Reed
Dickison	Robinson
Donaghey	Russell
Dwyer	Schuenemann
Gilmer	Shell
Hamilton	Stinson
Hankamer	Tennant
Harp	Thornton
Harris	Turner
Hartzog	Vale
Heflin	Voigt
Howard	Winfree
Howington	Wood
Leyendecker	

## Present—Not Voting

Gordon, Mrs.	Vint
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## Absent

Alsup	McDonald
Boyer	McNamara
Bray	Nicholson
Felty	Pope
Fuchs	Rhodes
Hale	Riviere
Hull	Smith of Frio
Isaacks	Smith
Johnson of Tarrant	of Matagorda
Kinard	Waggoner
Leonard	

## Absent—Excused

Bond	Loggins
Boyd	Monkhouse
Daniel	Reaves

INSTRUCTION TO COMMITTEE  
ON CONSTITUTIONAL  
AMENDMENTS

Mr. Bradbury moved that the Committee on Constitutional Amendments be instructed to report Senate Joint Resolution No. 12 to the House not later than next Friday, April 28.

Mr. Little moved, as a substitute motion, that the Committee on Constitutional Amendments be instructed to report Senate Joint Resolution No. 12 to the House not later than tomorrow, April 26.

The substitute motion by Mr. Little prevailed.

EXTENDING SYMPATHY OF THE  
HOUSE

Mr. Chambers offered the following resolution:

H. S. R. No. 245, Extending sympathy of the House to Hon. and Mrs. R. H. Reaves and family.

Whereas, The wife of our fellow Member, Hon. R. H. Reaves, is confined in the St. David's Hospital where she is seriously ill; therefore, be it

Resolved by the Members of the House, To extend our sympathy to Mr. and Mrs. Reaves and family and hope for her a most speedy recovery; and, be it further

Resolved, That the Clerk of the House be instructed to send a bouquet of flowers.

CHAMBERS,  
HOWINGTON,  
READER of Erath,  
HARRELL of Lamar,  
CLARK,  
HARDEMAN.

The resolution was read second time.

Signed—Morse, Speaker; Allen, Allison, Alsup, Anderson, Bailey, Baker of Fort Bend, Baker of Grayson, Bell, Blankenship, Boethel, Bond, Boyd, Boyer, Bradbury, Bradford, Bray, Bridgers, Broadfoot, Brown of Cherokee, Brown of Nacogdoches, Bundy, Burkett, Burney, Cauthorn, Celaya, Cleveland, Cockrell, Coleman, Colquitt, Mrs. Colson, Cornett, Corry, Crossley, Daniel, Davis of Jasper, Davis of Upshur, Dean, Derden, Dickison, Dickson, Donaghey, Dowell, Dwyer, Faulkner, Felty, Ferguson, Fielden, Fuchs, Galbreath, Gilmer, Goodman, Mrs. Gordon, Hale, Hamilton, Hankamer, Hardin, Harp, Harper, Harrell of Bastrop, Harris, Hartzog, Heflin, Holland, Howard, Hull, Hunt, Isaacks, Johnson of Ellis, Johnson of Tarrant, Keith, Kennedy, Kern, Kerr, Kersey, Kinard, King, Langdon, Lehman, Leonard, Leyendecker, Little, Lock, Loggins, London, Mays, McAlister, McDaniel, McDonald, McFarland, McMurry, McNamara, Mohrmann, Monkhouse, Montgomery, Morris, Newell, Nicholson, Oliver, Pace, Petsch, Pevehouse, Piner, Pope, Ragsdale, Reader of Bexar, Reed, Rhodes, Riviere, Roach, Roberts, Robinson, Russell, Schuenemann, Segrist, Shell, Skiles, Smith of Frio, Smith of Hopkins, Smith of Matagorda, Spencer, Stinson,

Stoll, Talbert, Tarwater, Taylor, Tennant, Thornberry, Thornton, Turner, Vale, Vint, Voigt, Waggoner, Weldon, Wells, Westbrook, White, Wilson, Winfree, Wood, Worley and Wright.

On motion of Mr. Reader of Erath, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

#### EXPRESSING SYMPATHY OF THE HOUSE

Mr. Faulkner offered the following resolution:

H. S. R. No. 246, Expressing sympathy of the House to Mr. and Mrs. Ernest Boyett.

Whereas, Mrs. Ernest Boyett, the wife of the Sergeant-at-Arms of the House of Representatives, the Honorable Ernest Boyett, is ill at Seton Infirmary; and

Whereas, We deeply regret her illness, and wish to extend to her our wishes for a speedy recovery; now, therefore, be it

Resolved by the Members of the House of Representatives, That the Chief Clerk of the House be instructed to order suitable flowers sent to Mrs. Boyett at the hospital; and, be it further

Resolved, That a copy of this resolution be sent to Mrs. Boyett at the hospital.

The resolution was read second time.

Signed—Morse, Speaker; Allen, Allison, Alsup, Anderson, Bailey, Baker of Fort Bend, Baker of Grayson, Bell, Blankenship, Boethel, Bond, Boyd, Boyer, Bradbury, Bradford, Bray, Bridgers, Broadfoot, Brown of Cherokee, Brown of Nacogdoches, Bundy, Burkett, Burney, Cauthorn, Celaya, Chambers, Clark, Cleveland, Cockrell, Coleman, Colquitt, Mrs. Colson, Cornett, Corry, Crossley, Daniel, Davis of Jasper, Davis of Upshur, Dean, Derden, Dickison, Dickson, Donaghey, Dowell, Dwyer, Felty, Ferguson, Fielden, Fuchs, Galbreath, Gilmer, Goodman, Mrs. Gordon, Hale, Hamilton, Hankamer, Hardeman, Hardin, Harp, Harper, Harrell of Bastrop, Harrell of Lamar, Harris, Hartzog, Heflin, Holland, Howard, Howington, Hull, Hunt, Isaacks, Johnson of Ellis, Johnson of Tarrant, Keith, Kennedy, Kern, Kerr, Kersey, Kinard, King, Langdon,

Lehman, Leonard, Leyendecker, Little, Lock, Loggins, London, Mays, McAlister, McDaniel, McDonald, McFarland, McMurtry, McNamara, Mohrmann, Monkhouse, Montgomery, Morris, Newell, Nicholson, Oliver, Pace, Petsch, Pevehouse, Piner, Pope, Ragsdale, Reader of Bexar, Reader of Erath, Reaves, Reed, Rhodes, Riviere, Roach, Roberts, Robinson, Russell, Schuenemann, Segrist, Shell, Skiles, Smith of Frio, Smith of Hopkins, Smith of Matagorda, Spencer, Stinson, Stoll, Talbert, Tarwater, Taylor, Tennant, Thornberry, Thornton, Turner, Vale, Vint, Voigt, Waggoner, Weldon, Wells, Westbrook, White, Wilson, Winfree, Wood, Worley and Wright.

On motion of Mr. Kern, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

#### RELATIVE TO CERTAIN FURNITURE AND FIXTURES OF TEXAS PLANNING BOARD

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 20, Relative to certain furniture and fixtures of Texas Planning Board.

Whereas, On March 16th, 1939, the appropriation for the Texas Planning Board was exhausted and the Board went out of existence because of the fact the Legislature, in its wisdom, did not choose to extend its life, thereby saving the taxpayers of Texas approximately Thirty-three Thousand (\$33,000.00) Dollars annually which was the cost for maintaining said Board; and

Whereas, There are articles of furniture and fixtures that had been collected by said Board; and

Whereas, It is important that this furniture be disposed of; now, therefore, be it

Resolved by the Senate of the Forty-sixth Legislature, the House concurring, That the State Board of Control be instructed to place the furniture and fixtures used by the Texas Planning Board to other State use where they might be needed; and, be it further

Resolved, That this Legislature express its appreciation to the members

of the Planning Board and its employees for the fine work it has done.

The resolution was read second time, and was adopted.

(Mr. Little in the Chair.)

(Speaker in the Chair.)

#### RELATIVE TO INVESTMENT OF PERMANENT SCHOOL FUND

Mr. Petsch offered the following resolution:

H. C. R. No. 113, Relative to investment of Permanent School Fund.

Whereas, The State of Texas appropriates a vast sum of money at every Regular Session of the Legislature for the purpose of paying rent for various departments of the State Government which cannot be housed in the Capitol nor in the State office buildings; and

Whereas, This rent money constitutes a virtual loss to the taxpayers of Texas, in that after a period of years the State has spent sufficient money to pay for an office building, and yet has not acquired any office building facilities; and

Whereas, The Permanent School Fund of the State of Texas has available cash to the amount of Four or Five Million Dollars and the State Board of Education, custodian of the Permanent School Fund, has considerable difficulty in finding paying investments for the Permanent School Fund; and

Whereas, A sufficient amount of the Permanent School Fund could be invested advantageously to said Fund and the State of Texas in the erection of a State office building, upon the condition that the State Board of Control would be directed to rent office space from the building owned by the Permanent School Fund, and a binding contract between the State Board of Education and the State Board of Control could be entered into under the Constitution; and

Whereas, It appears that such a contract would be of great benefit to the taxpayers of Texas, and the matter of investigating the feasibility and constitutionality of such a contract and arrangement is of extraordinary importance; now, therefore, be it

Resolved, That a committee of five (5), three (3) Members of the House of Representatives and two (2) Members of the Senate, be appointed to investigate the aforementioned situa-

tion and proposition, that such committee be directed to report back to the Legislature of Texas within fifteen (15) days, and that the Attorney General be requested to render an opinion upon the constitutionality of an agreement or contract which would have to be made between agencies of the State in order to protect the investment of the Permanent School Fund in a State office building.

PETSCH,  
HARDEMAN.

The resolution was read second time, and was adopted.

#### CHANGE IN COMMITTEE

Mr. Dean asked unanimous consent, of the House, that Mr. Taylor be temporarily appointed as a Member of the Committee on Representation before the Legislature, pending certain investigation in regard to old age pension matters.

There was no objection offered, and it was so ordered.

#### RELATIVE TO HOUSE BILL NO. 420

Mr. Harrell of Bastrop moved that House Bill No. 420 be set for special order at 10:30 o'clock a. m., next Friday.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—65

Allen	Harp
Allison	Harrell of Bastrop
Anderson	Harrell of Lamar
Baker of Grayson	Hartzog
Bell	Johnson of Ellis
Boethel	Keith
Boyer	Kern
Bradbury	Kinard
Bridgers	Langdon
Brown	Lehman
of Nacogdoches	Leonard
Burkett	Leyendecker
Burney	Lock
Chambers	McAlister
Clark	McDonald
Cockrell	McFarland
Colquitt	McMurry
Colson, Mrs.	Newell
Cornett	Nicholson
Davis of Upshur	Petsch
Dickson	Pevehouse
Dowell	Piner
Felty	Pope
Ferguson	Reed
Fielden	Roach
Gordon, Mrs.	Robinson

Russell	Thornberry
Segrist	Thornton
Skiles	Turner
Smith of Frio	Vale
Stinson	Weldon
Stoll	Wells
Tennant	Wright

Nays—62

Alsup	Johnson of Tarrant
Bailey	Kennedy
Baker	Kerr
of Fort Bend	Kersey
Blankenship	King
Bond	London
Bradford	McDaniel
Broadfoot	McNamara
Brown of Cherokee	Mohrmann
Cauthorn	Montgomery
Coleman	Oliver
Corry	Pace
Crossley	Reader of Bexar
Davis of Jasper	Reader of Erath
Dickison	Rhodes
Donaghey	Riviere
Dwyer	Roberts
Faulkner	Schuenemann
Galbreath	Shell
Gilmer	Smith of Hopkins
Goodman	Tarwater
Hamilton	Taylor
Hankamer	Vint
Hardeman	Voigt
Hardin	Waggoner
Harper	Westbrook
Harris	White
Howard	Wilson
Howington	Winfree
Hull	Wood
Hunt	Worley
Isaacks	

Present—Not Voting

Bundy	Spencer
	Absent
Bray	Holland
Celaya	Little
Cleveland	Mays
Dean	Morris
Derden	Smith
Fuchs	of Matagorda
Hale	Talbert
Heflin	

Absent—Excused

Boyd	Monkhouse
Daniel	Ragsdale
Loggins	Reaves

Mr. Blankenship moved that the Speaker of the House be instructed to obtain an opinion of the Attorney

General as to the constitutionality of House Bill No. 420.

The motion prevailed.

# HOUSE BILL NO. 255 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 255, A bill to be entitled "An Act fixing and determining a method of per capita appropriations for educational institutions of higher learning, and declaring the policy thereof; prescribing certain rules and regulations to be followed in determining said appropriations; requiring audits; making appropriations for the support, maintenance, buildings and improvements of the several State Institutions of Higher Learning for the two fiscal years, beginning September 1, 1939, and ending August 31, 1941, both dates inclusive; and for certain other educational agencies of the State; prescribing certain restrictions concerning the expenditures of said appropriations; containing a savings clause, and declaring an emergency."

The bill was read second time.

Mr. Thornton offered committee amendment No. 1 to the bill.

(On motion of Mr. Thornton, the committee amendment was ordered not printed in the Journal, same being the printed bill.)

Mr. Thornton offered the following amendments to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 255, by making the following corrective changes in the printed bill:

On page 2, line 39, strike out the figures "\$2,000,00.00," and insert in lieu thereof, the figures "\$2,000,000.00."

On page 4, line 31, strike out the word "collegate" and insert in lieu thereof the word "collegiate."

On page 9, line 33, strike out the word "Assistants" and insert in lieu thereof the word "Assistant."

On page 15, line 8, strike out the word "Foce" and insert in lieu thereof the word "Force."

On page 15, line 38, strike out the word "Pharmacelogy" and insert in lieu thereof the word "Pharmacology."

On page 23, line 5, before the word "Expenses" insert the word "other."

On page 24, strike out all of lines 6, 7 and 8.

On page 27, line 4, strike out the figures "2,300.00," in the first column and insert in lieu thereof the figures "5,300.00."

On page 27, line 23, strike out the figures "2,100.00" in the second column and insert in lieu thereof the figures "2,110.00."

On page 28, between lines 34 and 35 insert a total line.

On page 36, line 11, strike out the word "Grant" and insert in lieu thereof the word "Grand;" and on line 12 close the parenthesis after the word "Appropriation."

On page 36, line 30, strike out the word "Parts" and insert in lieu thereof the word "Part."

On page 37, line 9, close the parenthesis after the word "Seasonal."

On page 38, line 20, strike out the figures "660.60" in both columns and insert in lieu thereof the figures "666.60."

On page 41, line 17, change the words and figures "Ten Thousand (\$10,000.00) Dollars" to read "Eight Thousand (\$8,000.00) Dollars."

On page 47, line 29, strike out the word "Profesor" and insert in lieu thereof the word "Professor."

On page 47, line 35, strike out the word "Profesor" and insert in lieu thereof the word "Professor."

On page 49, line 35, strike out the word "Physical" and insert in lieu thereof the word "Physical."

On page 56, line 25, strike out the word "Grant" and insert in lieu thereof the word "Grand."

On page 58, line 35, strike out the word "Profesor" and insert in lieu thereof the word "Professor."

On page 73, line 18, strike out the figures "1,00.00" in the first column and insert in lieu thereof the figures "1,000.00."

On page 73, between lines 22 and 23 insert the following item: "488. Professor .....5,000.00 5,000.00."

On page 73, line 38, strike out the word "Senographer" and insert in lieu thereof the word "Stenographer."

On page 77, line 11, strike out the word "Transcrip" and insert in lieu thereof the word "Transcript."

On page 79, line 30, before the word "persons," insert the word "other."

On page 80 strike out the comma at the end of line 1 and insert in lieu

thereof a period; and strike out all of lines 2 and 3.

On page 81, line 17, strike out the letters "af" and insert in lieu thereof the word "of."

On page 84, line 37, strike out the word "Pharmacelogy" and insert in lieu thereof the word "Pharmacology."

On page 101, line 16, strike out the word "Ecnomics" and insert in lieu thereof the word "Economics."

On page 108 strike out all of lines 24, 25, 26, 27 and 28.

On page 120, line 30, strike out the word "Progessor" and insert in lieu thereof the word "Professor."

On page 121, line 15, strike out the word "Aassistant" and insert in lieu thereof the word "Assistant."

On page 127, line 39, strike out the word "Professer" and insert in lieu thereof the word "Professor."

On page 143, line 17, strike out the word "Manuel" and insert in lieu thereof the word "Manual."

The amendment was adopted.

(Mr. Leonard in the Chair.)

Mr. Thornton offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 255 on page 151 of the printed bill by striking out the sentence beginning on line 12 and ending on line 16, and inserting in lieu thereof, the following:

"The provisions of this Act with reference to traveling expenses shall apply to the heads of the institutions, including the President and the members of the Board of Regents, as well as to all other persons who may incur expenses in traveling for such institutions."

The amendment was adopted.

(Speaker in the Chair.)

Mr. Langdon offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 255, Section 2, Subsection (5), on page 150, by striking out all of Subsection (5) and substituting therefor a new Subsection (5) to read, as follows: "Subsection (5). Purchase of automobiles, no monies herein appropriated shall be spent for the purchase of a passenger car; and provided that from and after the effective date of this Act neither the Board of Control, nor the State educational institutions shall ever pur-

chase any passenger car for any purpose for any institutions herein named; and provided that the Board of Control shall provide for the sale and disposal of all State owned passenger cars at such time and on such terms as may to them seem best for the State."

The amendment was adopted.

Mr. Faulkner offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 255, by reducing all salaries wherever they appear in this bill 10% and providing that no salaries shall be reduced to an amount lower than \$1,800.00."

On motion of Mr. Thornton, the amendment was tabled.

Mr. Davis of Upshur offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 255, page 26, line 24, by striking out the figures "\$3,500.00," where they appear and insert in lieu thereof "\$5,000.00."

On motion of Mr. Alsup the amendment was tabled.

Mr. Broadfoot moved the previous question on the committee amendment, and the passage of House Bill No. 255 to engrossment, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Hale moved that the committee amendment be considered institution by institution and that the previous question be not ordered until each institution has had an equal discussion.

The motion was lost.

Mr. Johnson of Tarrant offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 255, pages 20 and 21, by deleting therefrom the totals of the A. & M. College of Texas-Main Extra Mural Division and have the amounts set out in the budget paid out of the appropriations for the main college as has been the practice heretofore.

On motion of Mr. Thornton, the amendment was tabled.

Mr. McAlister offered the following amendment to the committee amendment:

Amend House Bill No. 255, page 16, by striking out lines 11 and 12, which read "368. Executive Assistant to the President, \$5,500.00 \$5,500.00."

On motion of Mr. Thornton, the amendment was tabled.

Question—Shall the committee amendment be adopted?

#### ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 613

Mr. Segrist submitted the following Conference Committee Report on House Bill No. 613:

Austin, Texas, April 20, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the two Houses on House Bill No. 613,

Have had the same under consideration and we recommend to the Senate and House of Representatives that said bill pass in the form hereto attached.

Respectfully submitted,

ROBERTS,  
GRAVES,  
LANNING,  
KELLEY,  
BROWNLEE,

On the part of the Senate.

SEGRIST,  
CAUTHORN,  
KERR,  
HAMILTON,  
SKILES,

On the part of the House.

H. B. No. 613

#### A BILL

To Be Entitled

An Act amending Sections 8 and 21, Chapter 41 of the Acts of the Fortieth Legislature, First Called Session, so as to require physical marks of identification in deaths of nonresident persons, also finger prints of the deceased; and so as to require the State Registrar to enter into an agreement with the Bureau of the Census for the franking privilege, and the blanks furnished by the United States Census Bureau, and that the transcripts made for the United States Census



Bureau be made under the direction of the State Registrar, and for the issuance of photostatic copies to service men, their widows and orphans free of cost, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Section 8, Chapter 41 of the Acts of the Fortieth Legislature, First Called Session, is hereby amended so as to hereafter read as follows:

"Death Without Medical Attendance. That in case of any death occurring without medical attendance, it shall be the duty of the undertaker or person acting as such to notify the local registrar of such death, and when so notified the registrar shall, prior to the issuance of the permit, inform the local health officer and refer the case to him for immediate investigation and certification; provided that when the local health officer is not a physician, or when there is no such official, and in such cases only, the registrar is authorized to make the certificate and return from the statement of relatives or other persons having adequate knowledge of the facts; provided further, that if the registrar or the local health officer, as the case may be, has reason to believe that the death may have been due to unlawful acts or neglect, or otherwise is one properly referable to the coroner, he shall then refer the case to the coroner or other proper officer for his investigation and certification. And the coroner or other proper officer whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for a burial permit, shall state in his certificate the name of the disease causing death, if from external causes, (1) the means of death; and (2) whether (probably) accidental, suicidal, or homicidal; and shall, in any case, furnish such information as may be required by the State Registrar in order properly to classify the death; provided, further that when a death of any person not a resident of that district, or unknown in that district, occurs, the Justice of the Peace or the person acting as coroner shall secure the finger prints of the deceased and the following physical marks of identification.

"(a) Color of hair.

"(b) Color of eyes.

"(c) Height.

"(d) Weight.

"(e) Deformities.

"(f) Tattoo marks.

"(g) Such other facts as set forth

by the State Board of Health as will be of assistance in identifying the deceased.

"The finger prints and the physical identification marks shall be placed on a form prescribed by the State Board of Health, and shall be attached to the death certificate. The State Registrar shall forward to the State Department of Public Safety the report showing the finger prints and other physical marks of identification."

Sec. 2. Section 21, Chapter 41, Acts of the Fortieth Legislature, First Called Session, is hereby amended so as to hereafter read as follows:

"Copies of Records. That the State Registrar shall, upon request, supply to any properly qualified applicant a certified copy of the record of any birth or death registered under provisions of this Act, for the making and certification of which he shall be entitled to a fee of Fifty (50c) Cents, to be paid by the applicant. And any such copy of the record of a birth or death, when properly certified by the State Registrar, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made, the State Registrar shall be entitled to a fee of Fifty (50c) Cents for each hour or fractional part of an hour of time of search, said fee to be paid by the applicant. And the State Registrar shall keep a true and correct account of all fees by him received under these provisions, and turn the same over to the State Treasurer at the close of each month, and all such fees shall be kept by the State Treasurer in a special and separate fund, to be known as the 'Vital Statistics Fund', and the amounts so deposited in this Fund may be used for defraying expenses incurred in the enforcement and operation of this Act; and provided further, that the State Registrar shall, upon request of any parent or guardian, supply, without fee, a certificate limited to a statement as to the date of birth of any child when the same shall be necessary for admission to school, or for the purpose of securing employment; and provided

further, that the United States Census Bureau may obtain, without expense to the State, transcripts or certified copies of births and deaths without payment of the fees herein prescribed; and provided further, that the State Registrar is hereby authorized to enter into an agreement with the United States Bureau of the Census to act as special agent for that Bureau in accepting the use of the franking privilege and blanks furnished by that Bureau and is authorized to act as disbursing agent in order to have transcribed for that Bureau copies of the birth and death certificates filed with the State Bureau of Vital Statistics; and provided that the State Registrar shall issue free of cost to any veteran, his widow, orphan, or other descendants a photostatic copy of any record not otherwise prohibited by law when such record is to be used in the settlement of a claim against the Government; and provided that the State Registrar may issue, upon court order, without fee, a certified copy of the birth certificate in cases relating to child labor, and the public schools."

Sec. 3. The fact that the present law does not provide adequate methods for the identification of persons not residing in a district, and of the unknown dead, and further does not provide for the State Registrar of Vital Statistics to enter into an agreement with the United States Bureau of Census for the purpose of securing franking privilege and blanks furnished by the Bureau of Census, create an emergency and public necessity requiring that the Constitutional Rule providing that bills shall be read on three several days in each House shall be suspended, and that said Rule is hereby suspended, and this Act shall take force and effect from and after its passage, and it is so enacted.

On motion of Mr. Segrist, the Report was adopted by the following vote:

Yeas—112

Allison	Bridgers
Alsup	Brown of Cherokee
Bailey	Brown
Baker	of Nacogdoches
of Fort Bend	Bundy
Baker of Grayson	Burney
Bell	Cauthorn
Blankenship	Celaya
Bond	Chambers
Bradbury	Clark
Bradford	Cleveland

Cockrell	London
Coleman	Mays
Colquitt	McAlister
Colson, Mrs.	McDonald
Cornett	McFarland
Corry	McMurry
Crossley	McNamara
Davis of Upshur	Mohrmann
Derden	Morris
Dickison	Nicholson
Dickson	Oliver
Donaghey	Petsch
Dowell	Pevehouse
Faulkner	Piner
Felty	Pope
Ferguson	Reader of Erath
Fuchs	Rhodes
Galbreath	Roach
Gilmer	Roberts
Goodman	Russell
Gordon, Mrs.	Segrist
Hamilton	Skiles
Hardin	Smith of Frio
Harper	Smith of Hopkins
Harrell of Bastrop	Smith
Harrell of Lamar	of Matagorda
Harris	Stinson
Hartzog	Stoll
Heflin	Talbert
Holland	Tarwater
Howard	Taylor
Hull	Tennant
Hunt	Thornberry
Johnson of Tarrant	Thornton
Keith	Vale
Kennedy	Vint
Kern	Waggoner
Kerr	Weldon
Kinard	Wells
King	Westbrook
Langdon	White
Lehman	Wilson
Leonard	Winfree
Leyendecker	Wood
Little	Worley
Lock	Wright
Loggins	

Nays—1

Broadfoot

Absent

Allen	Harp
Anderson	Howington
Boethel	Isaacks
Boyer	Johnson of Ellis
Bray	Kersey
Burkett	McDaniel
Davis of Jasper	Montgomery
Dean	Newell
Dwyer	Pace
Hale	Reader of Bexar
Hankamer	Reaves
Hardeman	Reed

Riviere	Spencer
Robinson	Turner
Schuenemann	Voigt
Shell	

Absent—Excused

Boyd	Monkhouse
Daniel	Ragsdale
Fielden	

**BILL SIGNED BY THE SPEAKER**

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following enrolled bill:

S. B. No. 443, "An Act creating countywide equalization school districts in all counties containing a population of not less than thirty-five thousand (35,000) nor more than sixty-seven thousand, five hundred (67,500), according to the last preceding Federal Census, and containing a valuation of Seventy-five Million (\$75,000,000.00) Dollars, or more, according to the last approved tax rolls for State and county purposes, etc., and declaring an emergency."

**MESSAGE FROM THE SENATE**

Austin, Texas, April 25, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has passed the following:

S. B. No. 41, A bill to be entitled "An Act to facilitate the cooperation of this State with other units of government, determining the membership of the Board, and establishing the Texas Commission on Interstate Cooperation; describing the functions and operations of said Commission; providing for the establishment of delegations and committees; providing for reports, and declaring an emergency."

S. B. No. 44, A bill to be entitled "An Act making an appropriation of Two Thousand, Five Hundred (\$2,500.00) Dollars, or so much thereof as may be necessary, to pay a certain judgment rendered on June 16, A. D. 1934, in the 126th District Court of Travis County, Texas, in Cause No. 52100, wherein Abilene Plumbing Supply Company, Inc. (a corporation), is plaintiff and the State of Texas and the Board of Control of the State of Texas are defendants (the cause being captioned Standard Manufactur-

ing Company vs. Franklin Bros.), for the principal sum of One Thousand, Eight Hundred and Sixty-one Dollars and Twenty Cents (\$1,861.20), with interest at the legal rate of six per cent (6%) per annum from the date of said judgment until paid, and all costs of suit, of which costs there is a balance due of Sixty-four Dollars and Ninety-five Cents (\$64.95), which judgment was affirmed by the Court of Civil Appeals for the Third Supreme Judicial District of Texas, and declaring an emergency."

S. B. No. 89, A bill to be entitled "An Act granting aid to San Jacinto, Trinity, Houston, Angelina, Sabine, San Augustine, Jasper, Tyler, Walker and Shelby Counties, Texas, made necessary by reason of the fact that the Federal Government has purchased in said Counties practically fifty per cent (50%) of the land in said Counties, thereby taking off the tax rolls so much valuation that said Counties cannot operate a county government, and has caused great destruction to the roads and other improvements in said Counties, remitting, releasing, granting, and donating to said Counties all State ad valorem taxes, etc., and declaring an emergency."

S. B. No. 99, A bill to be entitled "An Act amending Senate Bill No. 355, same being Chapter 338 of the Acts of the Regular Session of the Forty-fourth Legislature as amended by Senate Bill No. 309, the same being Chapter 341 of the Acts of the Forty-fifth Legislature, creating a Central Colorado River Authority, and declaring an emergency."

S. B. No. 167, A bill to be entitled "An Act creating a School Land Board; defining its powers and prescribing its duties; providing regulations for the sale and lease of all lands set apart for the Permanent Free School Fund and several asylum funds, the mineral estate in river beds and channels, and the mineral estate in all areas within tidewater limits including islands, lakes, bays, and the bed of the sea, and declaring an emergency."

S. B. No. 240, A bill to be entitled "An Act regulating fishing in Burnet, Llano, San Saba, and Travis Counties; providing for size and bag limits of fish caught or taken from waters in such Counties and making it unlawful to take or catch fish from the waters

of Buchanan, Inks, Marshall Ford, Marble Falls, and Tom Miller Lakes except by certain means or the use of certain devices, and declaring an emergency."

S. B. No. 176, A bill to be entitled "An Act to aid conservation districts, navigation districts, conservation and reclamation districts, flood control districts, and river authorities, created by the Acts of the Legislature of this State, in carrying out the powers, duties and functions conferred upon such districts and river authorities by the Legislature, and declaring an emergency."

S. B. No. 309, A bill to be entitled "An Act enlarging the powers and duties of the State Department of Education of the State of Texas, so as to provide a Division for the Prevention of Crime by Education; providing for the appointment of the personnel of said Division, fixing their salaries, and defining their duties, and declaring an emergency."

S. B. No. 397, A bill to be entitled "An Act to amend Article 4690 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 152 of the General Laws of the Regular Session of the Forty-second Legislature, etc., and declaring an emergency."

S. B. No. 194, A bill to be entitled "An Act to amend Article 5057a of the Revised Civil Statutes of 1925, as amended by Senate Bill No. 12, Chapter 190, Acts of the Regular Session of the Fortieth Legislature, so as to provide for the manner in which fire insurance companies and casualty insurance companies incorporated under the laws of this State shall render their property for taxation; providing where such property shall be rendered for taxation, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

#### SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 194, to the Committee on Insurance.

Senate Bill No. 41, to the Committee on Interstate Cooperation.

Senate Bill No. 44, to the Committee on Appropriations.

Senate Bill No. 89, to the Committee on State Affairs.

Senate Bill No. 99, to the Committee on State Affairs.

Senate Bill No. 167, to the Committee on Public Lands and Buildings.

Senate Bill No. 240, to the Committee on Game and Fisheries.

Senate Bill No. 176, to the Committee on Conservation and Reclamation.

Senate Bill No. 309, to the Committee on Education.

Senate Bill No. 397, to the Committee on Insurance.

#### HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Smith of Hopkins and Mr. Kern:

H. B. No. 1014, A bill to be entitled "An Act providing for a Rural School Music Supervisor in certain counties; prescribing the duties of said Supervisor; prescribing the method of employing the Supervisor; providing for removal of such Supervisor by the County Board of School Trustees on recommendation of the County Superintendent; prescribing manner of fixing and paying salary, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Cleveland and Mr. Dowell:

H. B. No. 1015, A bill to be entitled "An Act amending Section 4 of House Bill No. 899, Chapter 146, of the Local and Special Laws, page 572 of the Regular Session of the Thirty-third Legislature, 1913, fixing number of School Trustees in Kyle Independent School District in Hays County; repealing all laws and parts of laws, General and Special, in conflict herewith, and declaring an emergency."

Referred to the Committee on School Districts.

#### RECESS

Mr. Reader of Erath moved that the House recess until 2:00 o'clock p. m., today.

Mr. Bell moved that the House recess until 2:30 o'clock p. m., today.

The motion of Mr. Bell prevailed, and the House, accordingly, at 12:05 o'clock p. m., took recess until 2:30 o'clock p. m., today.

#### AFTERNOON SESSION

The House met at 2:30 o'clock p. m., and was called to order by the Speaker.

#### LEAVES OF ABSENCE GRANTED (By unanimous consent)

Mr. Bond was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Johnson of Tarrant.

Mr. Fielden was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Fuchs.

Mr. Ragsdale was granted leave of absence for today, on account of important business, on motion of Mr. Lock.

Mr. Monkhouse was granted leave of absence for today, on account of important business, on motion of Mr. Worley.

#### ADOPTION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 30

Mr. Petsch submitted the following Conference Committee Report on House Bill No. 30:

Austin, Texas, April 25, 1939.

Hon. Coke R. Stevenson, Lieutenant Governor of Texas  
and

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and the Senate on House Bill No. 30, have met and beg leave to recommend that said House Bill No. 30 be passed in the form hereto attached.

Respectfully submitted,

PETSCH,  
BELL,  
MOHRMANN,  
COCKRELL,  
KING,

On the part of the House.

METCALFE,  
SPEARS,  
BROWNLEE,  
WEINERT,

On the part of the Senate.

#### H. B. No. 30

#### A BILL

#### To Be Entitled

An Act amending Chapter 10, Special Laws, Forty-fourth Legislature, enacted in the year A. D. 1935, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That Chapter 10, Special Laws, Forty-fourth Legislature, as enacted by the Legislature of the State of Texas in 1935, be amended so the same shall hereafter read as follows, to-wit:

"Article 6954a. Election as to domestic turkeys running at large. Upon the written petition of twenty-five (25) freeholders of any political subdivision of Blanco, DeWitt, Gonzales, Gillespie, Guadalupe, Parker and Wise Counties, the Commissioners Courts of such Counties shall order an election to be held in such subdivisions, which subdivisions shall be described in the petition and defined by the Commissioners Courts, on the day named in the order for the purpose of enabling the freeholders of such subdivisions to determine whether domestic turkeys shall be permitted to run at large in such subdivisions of such Counties. The requisites of the petition, the order of the Court, the order of the County Judge, the election and all proceedings thereunder shall be the same as prescribed in Articles 6957 to 6971, inclusive, of the Revised Civil Statutes of Texas, 1925, Title 121, Chapter 6, and all provisions thereof, relative to stock running at large, the impounding thereof, and the penalty therefor shall be applicable to domestic turkeys running at large in the event any such subdivision of said Counties shall by election prohibit the running at large of domestic turkeys by a vote as in such Statutes provided; provided that the fees for impounding domestic turkeys shall be Ten (10c) Cents per day for each domestic turkey so impounded."

Section 2. The fact that there is now no law in certain counties applicable to domestic turkeys running at large creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three (3) several days in each House be suspended, and the same is hereby suspended, and this

Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Petsch, the Report was adopted.

#### HOUSE BILL NO. 255 ON PASSAGE TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 255, making certain appropriation for institutions of higher learning, etc., on its passage to engrossment.

The bill having been read second time, on this morning, with committee amendment, by Mr. Thornton, pending.

Mr. Goodman offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 255, insert after line 27, page 29, by adding item 191-A to read as follows:

"Feeder and other labor for feeding investigations (for the years ending August 31, 1940, and August 31, 1941, \$1,200.00 and \$1,200.00. Total for Subsection No. 9, \$5,510.00 — \$5,510.00".

On motion of Mr. Thornton, the amendment was tabled.

Mr. Corry offered the following amendment to the committee amendment:

Amend House Bill No. 255, page 25, by inserting a new item to be known as item "81a" and to read as follows:

"81a. Research and Education, Landlord-Tenant Relationship, Farm

and Ranch Economics, \$2,000.00 — \$2,000.00".

On motion of Mr. Thornton, the amendment was tabled.

Mr. Hale offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 255; page 80, lines 11-14, by substituting the following:

"1. Research in the Social Sciences, \$15,000.00 — \$15,000.00.

"3. Bureau of Municipal Research, \$5,000.00 — \$5,000.00."

(Mr. Derden in the Chair.)

On motion of Mr. Thornton, the amendment by Mr. Hale was tabled.

Mr. Petsch moved the previous question on that Section of the committee amendment relative to the University of Texas, and the main question was ordered.

Mr. Davis of Upshur raised a point of order, on the previous question, on the ground that the previous question cannot be ordered on a certain Section, inasmuch as the House has not voted to consider the bill Section by Section.

The Chair overruled the point of order.

Mr. Harris offered the following amendment to the committee amendment:

Amend House Bill No. 255, page 112, line 10, by adding a new Section to be known as the Texas Technological College Main Extramural Division, to read, as follows:

Title	Maintenance		Salaries	
	1939-40	40-41	1939-40	40-41
*Pasturage Improvement and Brush and Tree Eradication.....	\$250.00	\$250.00		
*Animal Husbandry Feeding Projects with Sheep, Cattle, Hogs and Goats to determine most efficient utilization of cotton by-products.....	900.00	900.00		
*Research in Small Grains, especially Malting Barley .....	500.00	500.00		
*Soil Fertility Investigations .....	240.00	240.00		
*Investigations of Industrial Uses for Texas Small Grains .....	800.00	800.00		
*Removal of Fluorine from West Texas Waters. (This is a health problem involving tooth stain).....	725.00	75.00		
*Investigation of availability and utilization of Salt, Potash and other Mineral Deposits of the West Texas Area.....	340.00	450.00		

Title	Maintenance		Salaries	
	1939-40	40-41	1939-40	40-41
*Development of Low Cost Construction Materials (Clay, Caliche, Adobe, etc.)	450.00	450.00		
A Study of the Magnetic Susceptibility of Well Drill Cores in Relation to Oil Prospecting	400.00	400.00		
Investigation of the Strength and Uniformity of Cotton Yarns used in Spinning by Means of X-Rays	520.00	520.00		
B. Museum:				
Secretary and Preparator			\$1,200.00	\$1,200.00
Maintenance, Supplies and Publications	2,000.00	2,000.00		
Director of Extramural Work and Museum			3,600.00	3,600.00
Totals	\$7,225.00	\$7,225.00	\$4,800.00	\$4,800.00

**HARRIS,  
ALLISON.**

Mr. Thornton moved to table the amendment by Mr. Harris.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced, as follows: Yeas, 70; Nays, 64.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted, as follows:

**Yeas—66**

Alsup	Hardin
Baker	Harper
of Fort Bend	Holland
Bell	Howington
Boethel	Keith
Boyd	Kennedy
Bridgers	Kersey
Broadfoot	Kinard
Brown of Cherokee	King
Brown	Lehman
of Nacogdoches	Leyendecker
Burkett	London
Burney	McDonald
Cauthorn	McFarland
Chambers	McMurry
Clark	McNamara
Cockrell	Newell
Colquitt	Nicholson
Colson, Mrs.	Oliver
Crossley	Pope
Davis of Jasper	Rhodes
Faulkner	Riviere
Felty	Roach
Fuchs	Robinson
Galbreath	Russell
Gordon, Mrs.	Schuenemann

Shell	Vint
Smith of Frio	Voigt
Smith	Waggoner
of Matagorda	Weldon
Stinson	Westbrook
Tennant	White
Thornberry	Wilson
Thornton	Wood
Turner	

**Nays—59**

Allen	Kern
Allison	Kerr
Anderson	Leonard
Bailey	Little
Baker of Grayson	Lock
Boyer	Mays
Bradbury	McAlister
Bradford	Mohrmann
Bundy	Montgomery
Cornett	Morris
Corry	Pace
Davis of Upshur	Petsch
Dickison	Pevehouse
Dickson	Piner
Donaghey	Reader of Bexar
Dowell	Reader of Erath
Ferguson	Reed
Goodman	Roberts
Hale	Segrist
Hamilton	Skiles
Hankamer	Smith of Hopkins
Hardeman	Stoll
Harp	Tarwater
Harrell of Bastrop	Taylor
Harrell of Lamar	Vale
Harris	Wells
Howard	Winfree
Hunt	Worley
Isaacks	Wright
Johnson of Ellis	

Present—Not Voting  
Spencer

## Absent

Blankenship	Heflin
Bray	Hull
Celaya	Johnson of Tarrant
Cleveland	Langdon
Coleman	Loggins
Dean	McDaniel
Derden	Monkhouse
Dwyer	Reaves
Gilmer	Talbert
Hartzog	

## Absent—Excused

Bond	Fielden
Daniel	Ragsdale

The Chair announced that the motion to table prevailed.

Mr. Allison offered the following amendment to the committee amendment:

Amend House Bill No. 255, page 112, Item 340, line 6, by striking out the figures "\$15,000.00" and inserting in lieu thereof the figures "\$30,000.00".

ALLISON,  
HARRIS.

On motion of Mr. Thornton, the amendment was tabled.

Mr. Harris offered the following amendment to the committee amendment:

Amend the committee amendment to House Bill No. 255, page 112, line 7, by adding a new Section creating an extramural division to read as follows:

"Director of Extramural and Museum, \$3,600.00 per year."

Mr. Thornton raised a point of order, on consideration of the amendment by Mr. Harris, at this time, on the ground that the House has heretofore defeated an identical amendment.

The Chair overruled the point of order.

On motion of Mr. Thornton, the amendment by Mr. Harris was then tabled.

(Speaker in the Chair.)

Mr. Skiles offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 255, by adding a new item on page 125 between lines 31 and 32 to read as follows:

"226 remodel and enlarge power plant for classroom space, \$28,000.00."

On motion of Mr. Thornton, the amendment was tabled.

Mr. Skiles moved to suspend the Rules, relative to the making of motions to reconsider, for the purpose of making a motion to reconsider the vote by which the amendment was tabled.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

## Yeas—71

Allison	Little
Baker	Lock
of Fort Bend	Loggins
Baker of Grayson	Mays
Bell	McMurry
Boyd	Mohrmann
Boyer	Montgomery
Bradbury	Morris
Brown	Newell
of Nacogdoches	Oliver
Burney	Pace
Clark	Pevehouse
Cockrell	Piner
Cornett	Reader of Bexar
Crossley	Reader of Erath
Davis of Upshur	Reed
Derden	Roach
Dickison	Roberts
Dowell	Russell
Faulkner	Segrist
Ferguson	Skiles
Goodman	Smith of Hopkins
Gordon, Mrs.	Spencer
Hale	Stinson
Hardin	Talbert
Harp	Taylor
Harrell of Lamar	Thornberry
Harris	Turner
Howard	Vint
Howington	Voigt
Hunt	Weldon
Johnson of Ellis	Wells
Johnson of Tarrant	White
Kern	Winfree
Kerr	Worley
Kersey	Wright
King	

## Nays—56

Allen	Broadfoot
Alsup	Bundy
Anderson	Burkett
Bailey	Cauthorn
Blankenship	Cleveland
Boethel	Colquitt
Bradford	Colson, Mrs.
Bridgers	Dickson



Donaghey	McDonald	Dickson	McMurry
Dwyer	McFarland	Donaghey	McNamara
Felty	McNamara	Faulkner	Montgomery
Fuchs	Nicholson	Felty	Newell
Galbreath	Pope	Galbreath	Nicholson
Gilmer	Rhodes	Gilmer	Oliver
Hamilton	Riviere	Goodman	Pace
Hankamer	Robinson	Hamilton	Pope
Harper	Schuenemann	Hankamer	Rhodes
Hartzog	Smith of Frio	Hardin	Riviere
Holland	Smith	Harp	Roberts
Hull	of Matagorda	Harper	Robinson
Isaacks	Stoll	Howington	Schuenemann
Keith	Tarwater	Hull	Segrist
Kennedy	Tennant	Hunt	Smith of Hopkins
Langdon	Thornton	Johnson of Ellis	Stinson
Lehman	Vale	Johnson of Tarrant	Stoll
Leyendecker	Waggoner	Kennedy	Taylor
London	Wilson	Kersey	Tennant
McAlister	Wood	Langdon	Thornton
McDaniel		Lehman	Turner

## Absent

Bray	Hardeman
Brown of Cherokee	Harrell of Bastrop
Celaya	Heflin
Chambers	Kinard
Coleman	Leonard
Corry	Petsch
Davis of Jasper	Shell
Dean	Westbrook

## Absent—Excused

Bond	Monkhouse
Daniel	Ragsdale
Fielden	Reaves

Mr. Baker of Fort Bend offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 255, page 55, line 38, by striking out the figures "\$10,000.00" and insert in lieu thereof the figures "\$25,000.00".

Mr. Thornton moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—68

Allen	Bundy
Allison	Burkett
Alsup	Burney
Bailey	Cauthorn
Baker of Grayson	Chambers
Bradford	Colquitt
Brown	Davis of Jasper
of Nacogdoches	Dickison

## Nays—54

Anderson	Keith
Baker	Kern
of Fort Bend	Kinard
Bell	King
Boethel	Little
Boyd	Lock
Boyer	Loggins
Bradbury	Mohrmann
Bridgers	Morris
Broadfoot	Pevehouse
Brown of Cherokee	Piner
Clark	Reader of Erath
Cleveland	Reed
Cockrell	Roach
Cornett	Russell
Crossley	Shell
Davis of Upshur	Skiles
Derden	Smith of Frio
Dowell	Smith
Dwyer	of Matagorda
Ferguson	Spencer
Fuchs	Talbert
Gordon, Mrs.	Thornberry
Hale	Vint
Harrell of Bastrop	White
Harrell of Lamar	Wilson
Holland	Worley
Isaacks	Wright

## Absent

Blankenship	Colson, Mrs.
Bray	Corry
Celaya	Dean
Coleman	Hardeman

Harris	Petsch
Hartzog	Reader of Bexar
Heflin	Tarwater
Howard	Voigt
Kerr	Weldon
Leonard	Westbrook
McDonald	

## Absent—Excused

Bond	Monkhouse
Daniel	Ragsdale
Fielden	Reaves

Mr. Mays moved the previous question, on the committee amendment, and the passage of House Bill No. 255 to engrossment, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Baker of Fort Bend offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 255, page 56, by adding a new item to be known as Item 215(a), the same to read as follows:

"Item 215(a), Library - Classroom building, equipment, utility connections, \$100,000.00."

On motion of Mr. Thornton, the amendment was tabled.

Mr. Little offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 255, page 145, by inserting at line 24, the following:

"Maintenance, equipment and labor for Museum for each year ending August 31, 1940, and August 31, 1941, the sum of \$6,000.00."

LITTLE,  
BOYER,  
HARP,  
SKILES,  
WRIGHT,  
GORDON, MRS.,  
TARWATER,  
DONAGHEY,  
BRADFORD,  
McALISTER,  
GOODMAN,  
WORLEY,  
HULL,  
JOHNSON of Tarrant,  
CORY,  
BURNIE.

Mr. Thornton moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—68

Allen	Leyendecker
Alsup	London
Anderson	Mays
Bailey	McDaniel
Baker	McDonald
of Fort Bend	McFarland
Bell	McMurry
Broadfoot	McNamara
Brown of Cherokee	Newell
Brown	Nicholson
of Nacogdoches	Oliver
Burkett	Pace
Cauthorn	Pevehouse
Chambers	Reed
Cleveland	Rhodes
Colquitt	Riviere
Colson, Mrs.	Roach
Crossley	Robinson
Dickson	Russell
Dwyer	Schuenemann
Faulkner	Spencer
Felty	Stinson
Fielden	Stoll
Fuchs	Talbert
Galbreath	Taylor
Hamilton	Tennant
Hankamer	Thornton
Hartzog	Turner
Howington	Vale
Kennedy	Vint
Kerr	Waggoner
Kinard	Weldon
King	White
Langdon	Wilson
Lehman	Wood

## Nays—57

Allison	Gordon, Mrs.
Baker of Grayson	Hale
Boethel	Hardin
Boyd	Harp
Boyer	Harrell of Bastrop
Bradbury	Harrell of Lamar
Bridgers	Harris
Bundy	Heflin
Burney	Holland
Coleman	Hull
Cornett	Hunt
Davis of Jasper	Isaacks
Davis of Upshur	Johnson of Ellis
Derden	Johnson of Tarrant
Dickson	Kern
Donaghey	Kersey
Dowell	Little
Ferguson	Lock
Gilmer	Loggins

McAlister	Smith of Frio	Harper	Reader of Bexar
Mohrmann	Smith of Hopkins	Howard	Segrist
Montgomery	Tarwater	Keith	Smith
Morris	Thornberry	Leonard	of Matagorda
Piner	Wells	Petsch	Voigt
Pope	Westbrook		
Reader of Erath	Winfree		Absent—Excused
Roberts	Worley	Bond	Ragsdale
Shell	Wright	Daniel	Reaves
Skiles		Monkhouse	

## Absent

Blankenship	Cockrell
Bradford	Corry
Bray	Dean
Celaya	Goodman
Clark	Hardeman

Mr. Wells offered the following amendment to the committee amendment:

Amend House Bill No. 255, by striking out all below line 33, page 155, of the printed bill and adding in lieu thereof, the following:

Blinn Junior College at Brenham	\$ 3,750.00	\$ 3,750.00
Hillsboro Junior College	13,000.00	13,000.00
Amarillo Junior College	16,000.00	16,000.00
Clarendon Junior College	5,100.00	5,100.00
Hardin Junior College at Wichita Falls	16,350.00	16,350.00
Paris Junior College	19,100.00	19,100.00
Texarkana Junior College	7,200.00	7,200.00
Corpus Christi Junior College	5,500.00	5,500.00
San Antonio Junior College	11,350.00	11,350.00
Kilgore Junior College	25,600.00	25,600.00
Ranger Junior College	4,150.00	4,150.00
Edinburg Junior College	11,550.00	11,550.00
Gainesville Junior College	7,700.00	7,700.00
Houston Junior College	22,600.00	22,600.00
Temple Junior College	5,750.00	5,750.00
Victoria Junior College	5,750.00	5,750.00
Lee Junior College at Goose Creek	10,500.00	10,500.00
Lamar Junior College at Beaumont	22,150.00	22,150.00
Brownsville Junior College	8,750.00	8,750.00
Tyler Junior College	9,350.00	9,350.00
San Angelo Junior College	9,700.00	9,700.00

Total Salaries, Maintenance, Miscellaneous

Improvements, Repairs and Buildings \$ 8,252,685.00 \$ 8,085,740.00

Combined Totals for the Biennium \$16,338,425.00

WELLS,  
TENNANT,  
FERGUSON,  
BRAY,  
ROACH,  
DICKISON,  
BUNDY,  
DONAGHEY,  
RIVIERE,  
ANDERSON,  
LEYENDECKER,  
HOLLAND,  
HARRELL of Lamar,  
PACE,  
WHITE,  
SMITH of Hopkins,  
McNAMARA,  
GALBREATH,  
CORNETT,

POPE,  
KINARD,  
READER of Erath,  
WINFREE,  
DANIEL,  
CELAYA,  
HARTZOG,  
NICHOLSON,  
McFARLAND,  
BROADFOOT,  
HARRELL of Bastrop,  
MONTGOMERY,  
FUCHS,  
BURKETT,  
CROSSLEY,  
READER of Bexar,  
LEONARD,  
WORLEY,  
HAMILTON.

Mr. Wood raised a point of order, on further consideration of the amendment by Mr. Wells, at this time, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

Mr. Thornton offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 255, by placing a period in lieu of the comma at the end of line 1, page 80, and striking out lines 2 and 3.

The amendment was adopted.

Mr. Langdon offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 255, Section 2, Subsection 6, on page 151, by striking out all of lines 2 through 22, inclusive, and the word "return" on line 23, and substituting therefor the following:

"No traveling expenses shall be incurred by any employee or official of any of the schools or other agencies named herein outside of the boundaries of the State of Texas; and provided that any officer or employee who travels on official State business and who uses his own car shall be entitled to be reimbursed for the use of said car and all operating expenses thereof at the rate of three (3c) cents per mile for the actual mileage traveled by the shortest practical route between the point of origin and the point of destination and return; and provided, further, that no such allowance for the use of a car shall ever be allowed to any official or employee of the institutions or agencies herein named unless the duties of such official or employee require the use of a passenger car."

LANGDON,  
WHITE.

The amendment was adopted.

Mr. White offered the following amendment to the committee amendment:

Amend House Bill No. 255, committee amendment No. 1, page 89, line 6, by inserting in lieu of the figures "\$5,000.00" the figures "\$4,000.00".

The amendment was adopted.

Mr. Lock offered the following amendment to the committee amendment:

Amend House Bill No. 255, committee amendment No. 1, Section 2, page 30, by striking out the figures in line 27, "\$3,000.00" and "\$3,000.00" and inserting in lieu thereof the following: "\$4,900.00" and "\$4,920.00".

On motion of Mr. Thornton, the amendment was tabled.

Mr. McDonald offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to House Bill No. 255, page 4, line 26, by inserting the word "Directors" instead of "Regents".

The amendment was adopted.

The committee amendment, as amended, was then adopted.

On motion of Mr. Thornton, and by unanimous consent of the House, the totals in the bill were ordered amended so as to conform to all changes made in the body of the bill.

House Bill No. 255 was then passed to engrossment.

#### HOUSE BILL NO. 255 ON THIRD READING

Mr. Thornton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 255 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—130

Allen	Burkett
Allison	Burney
Alsup	Cauthorn
Anderson	Chambers
Bailey	Clark
Baker	Cleveland
of Fort Bend	Cockrell
Baker of Grayson	Colquitt
Bell	Colson, Mrs.
Boethel	Cornett
Boyd	Crossley
Boyer	Davis of Jasper
Bradbury	Davis of Upshur
Bradford	Derden
Bridgers	Dickson
Broadfoot	Dickson
Brown of Cherokee	Donaghey
Brown	Dwyer
of Nacogdoches	Faulkner
Bundy	Felty

Ferguson	Montgomery	The bill was read third time, and	
Fielden	Morris	was passed by the following vote:	
Fuchs	Newell		
Galbreath	Nicholson	Yeas—132	
Gilmer	Oliver	Allen	Heflin
Goodman	Pace	Allison	Holland
Gordon, Mrs.	Pevehouse	Alsup	Howard
Hale	Piner	Anderson	Howington
Hamilton	Pope	Bailey	Hull
Hankamer	Reader of Erath	Baker	Hunt
Hardin	Rhodes	of Fort Bend	Isaacks
Harp	Riviere	Baker of Grayson	Johnson of Ellis
Harper	Roach	Bell	Johnson of Tarrant
Harrell of Bastrop	Roberts	Blankenship	Keith
Harrell of Lamar	Robinson	Boethel	Kennedy
Hartzog	Russell	Boyd	Kern
Heflin	Schuenemann	Boyer	Kerr
Holland	Segrist	Bradbury	Kersey
Howard	Shell	Bradford	Kinard
Howington	Skiles	Bridgers	King
Hull	Smith of Frio	Broadfoot	Lehman
Hunt	Smith of Hopkins	Brown of Cherokee	Leyendecker
Isaacks	Smith	Brown	Little
Johnson of Ellis	of Matagorda	of Nacogdoches	Lock
Johnson of Tarrant	Spencer	Bundy	Loggins
Keith	Stinson	Burkett	London
Kennedy	Stoll	Burney	Mays
Kern	Tarwater	Cauthorn	McAlister
Kerr	Taylor	Chambers	McDaniel
Kersey	Tennant	Clark	McDonald
Kinard	Thornberry	Cleveland	McFarland
King	Thornton	Cockrell	McMurry
Langdon	Turner	Colquitt	McNamara
Lehman	Vale	Colson, Mrs.	Mohrmann
Leyendecker	Vint	Cornett	Montgomery
Little	Voigt	Crossley	Morris
Lock	Waggoner	Davis of Jasper	Newell
Loggins	Weldon	Davis of Upshur	Nicholson
London	Wells	Derden	Oliver
Mays	Westbrook	Dickison	Pace
McAlister	White	Dickson	Pevehouse
McDaniel	Wilson	Donaghey	Piner
McDonald	Winfree	Dowell	Pope
McFarland	Wood	Dwyer	Reader of Erath
McMurry	Worley	Faulkner	Reed
McNamara	Wright	Felty	Rhodes
Mohrmann		Ferguson	Riviere
	Absent	Fielden	Roach
Blankenship	Hardeman	Fuchs	Roberts
Bray	Harris	Galbreath	Robinson
Celaya	Leonard	Gilmer	Russell
Coleman	Petsch	Goodman	Schuenemann
Corry	Reader of Bexar	Gordon, Mrs.	Segrist
Dean	Reed	Hale	Shell
Dowell	Talbert	Hamilton	Skiles
	Absent—Excused	Hankamer	Smith of Hopkins
Bond	Ragsdale	Hardin	Smith
Daniel	Reaves	Harp	of Matagorda
Monkhouse		Harper	Spencer
		Harrell of Bastrop	Stinson
		Harrell of Lamar	Stoll
		Harris	Talbert
		Hartzog	Tarwater

The Speaker then laid House Bill No. 255 before the House on third reading and final passage.

The Speaker then laid House Bill No. 255 before the House on third reading and final passage.

Taylor	Wells
Thornberry	Westbrook
Thornton	White
Turner	Wilson
Vale	Winfree
Vint	Wood
Voigt	Worley
Waggoner	Wright
Weldon	

## Absent

Bray	Langdon
Celaya	Leonard
Coleman	Petsch
Corry	Reader of Bexar
Dean	Smith of Frio
Hardeman	Tennant

## Absent—Excused

Bond	Ragsdale
Daniel	Reaves
Monkhouse	

Mr. Thornton moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

#### APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 92

The Speaker announced the appointment of the following Conference Committee on House Bill No. 92: Messrs. Johnson of Tarrant, Hull, McDonald, Wood and Reader of Erath.

#### APPOINTMENT OF CERTAIN COMMITTEE

The Speaker announced the appointment of the following committee, pursuant to House Concurrent Resolution No. 113 concerning Investment of Permanent School Fund: Messrs. Petsch, Thornberry and Celaya.

#### MESSAGE FROM THE SENATE

Austin, Texas, April 25, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has failed to pass

H. B. No. 722, A bill to be entitled "An Act providing for the sum of money required for placing names on the primary ballot in certain counties, repealing all laws and parts of laws in conflict, and declaring an emergency."

By the following vote: Yeas, 0; Nays, 25.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### MESSAGES FROM THE GOVERNOR

The Speaker laid before the House, and had read the following messages from the Governor:

April 25, 1939.

To the Members of the House of Representatives of the Forty-sixth Legislature:

Complying with the request contained in House Concurrent Resolution No. 111, I am herewith returning House Bill No. 166 to your body for such further consideration as you wish to give it.

Very truly yours,

W. LEE O'DANIEL,  
Governor.

To the Members of the House of Representatives of the Forty-sixth Legislature:

Complying with the request contained in House Concurrent Resolution No. 110, I am herewith returning House Bill No. 84 to your body for such further consideration as you wish to give it.

Very truly yours,

W. LEE O'DANIEL,  
Governor.

#### BILL ORDERED NOT PRINTED

(By unanimous consent)

On motion of Mr. Wright, Senate Bill No. 89 was ordered not printed.

#### MOTION TO RE-REFER

Mr. Kinard moved that House Bill No. 248 be withdrawn from the Committee on Public Printing, and referred to the Committee on Game and Fisheries.

Mr. Mays raised a point of order, on further consideration of the motion, at this time, on the ground that the routine motion period has expired.

The Speaker sustained the point of order.

## MESSAGE FROM THE SENATE

Austin, Texas, April 25, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee Report on House Bill No. 30 by the following vote: Yeas, 30; Nays, 0.

Adopted Conference Committee Report on Senate Bill No. 221 by the following vote: Yeas, 30; Nays, 0.

Passed

H. B. No. 870, A bill to be entitled "An Act creating Road District No. 4, of Tyler County, Texas, under authority of Article 3, Section 52 of the Constitution of Texas, for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes or in aid thereof, making it a body corporate and taxing district; describing said District by metes and bounds, and declaring an emergency."

H. B. No. 871, A bill to be entitled "An Act creating Road District No. 5, of Tyler County, Texas, under authority of Article 3, Section 52 of the Constitution of Texas, for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes or in aid thereof, making it a body corporate and taxing district; describing said district by metes and bounds, and declaring an emergency."

Adopted

H. C. R. No. 113, Requesting the Attorney General to render an opinion upon the feasibility of erecting an office building out of funds of the Permanent School Fund.

Passed

H. B. No. 981, A bill to be entitled "An Act repealing Section 5 of House Bill No. 1035, Acts of the Regular Session of the Forty-fifth Legislature regulating fishing in Wood County, and declaring an emergency."

H. B. No. 1004, A bill to be entitled "An Act providing and directing County Clerks, District Clerks, and other officials to issue certificates and certified copies of instruments in their respective offices to ex-service men of the World War and the Spanish-American War where such certificates and copies of instruments are neces-

sary to be used in furthering claims and establishing proof of such ex-service men to such claims for compensation, and other claims to be established; defining ex-service men; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 444, A bill to be entitled "An Act providing for a rural school music supervisor in certain counties; prescribing the duties of said supervisor; prescribing the method of employing the supervisor; providing for removal of such supervisor by the County Board of School Trustees on recommendation of the County Superintendent; prescribing manner of fixing and paying salary, and declaring an emergency."

H. B. No. 672, A bill to be entitled "An Act fixing salaries and compensation of County Commissioners in counties with a population of not less than fourteen thousand, nine hundred and one (14,901) inhabitants nor more than sixteen thousand and one (16,001) inhabitants, according to the last Federal Census, as same now exists or may hereafter exist, and having an assessed valuation of not less than Seven Million, Four Hundred and Thirty-six Thousand (\$7,436,000.00) Dollars, nor more than Eight Million (\$8,000,000.00) Dollars, according to the last approved tax rolls, as same now exists or may hereafter exist; providing for the manner of payment of the salaries and the funds from which said salaries shall be paid; repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 438, A bill to be entitled "An Act validating, confirming, approving and legalizing certain bonds, authorized at certain elections, etc., and declaring an emergency."

S. B. No. 439, A bill to be entitled "An Act validating and approving all proceedings had by cities and towns in amending their corporate charters, etc., and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

BILLS AND RESOLUTIONS  
SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been

read severally, the following enrolled bills and resolutions:

S. C. R. No. 20, Relative to certain furniture and fixtures of the Texas Planning Board.

H. C. R. No. 113, Relative to investment of Permanent School Fund.

H. B. No. 613, "An Act amending Sections 8 and 21, Chapter 41 of the Acts of the Fortieth Legislature, First Called Session, so as to require physical marks of identification in deaths of non-resident persons, also finger prints of the deceased; and so as to require the State Registrar to enter into an agreement with the Bureau of the Census for the franking privileges, and the blanks furnished by the United States Census Bureau, and that the transcripts made for the United States Bureau Census be made under the direction of the State Registrar, and for the issuance of photostatic copies to service men, their widows and orphans free of cost, and declaring an emergency."

H. B. No. 604, "An Act to amend Chapter 33 of the General Laws of the Thirty-ninth Legislature, Regular Session, 1925, as amended, so as to make certain provisions with respect to the authorization and issuance of revenue bonds and notes by cities having more than one hundred and sixty thousand (160,000) inhabitants, and declaring an emergency."

S. B. No. 381, "An Act to amend Article 880, House Bill No. 111, Acts of the Second Called Session, Forty fifth Legislature, relating to the use of dogs in the hunting or pursuing or taking of any deer in certain counties; and providing for a penalty."

S. B. No. 392, "An Act authorizing cities eligible under the terms of this Act to fund certain indebtedness outstanding on January 1, 1939; prescribing the method and procedure for issuance of funding bonds and warrants; validating such outstanding indebtedness not in litigation at the time this Act becomes effective; providing that this Act shall be cumulative of all other Acts but that its provisions shall prevail in the event of conflict with other laws; enacting provisions incident to and relating to the subject, and declaring an emergency."

S. B. No. 185, "An Act to extend to August 31, 1939, all provisions relative to the expenditure of funds al-

ready collected under the provisions of Senate Bill No. 47, Acts, 1937, Forty-fifth Legislature, and declaring an emergency."

S. B. No. 154, "An Act to amend the Acts of 1925, Thirty-ninth Legislature, page 86, Chapter 25, Section 77, as added to by Acts of 1929, Forty-first Legislature, page 578, Chapter 280, Section 9, Article 7880-77a, by re-enacting Section (b) under said Section 77a of Article 7880 of the Revised Civil Statutes of 1925, so that limitation shall not run or be pleaded against any taxes or assessments provided for in Sections 106, 107, 108 and 109 of Chapter 25, the specific purpose of this Act being to re-enact said Section (b) which has been held invalid by the United States District Court, in Re: American Rio Grande Land and Irrigation Company, D. C. 21 Federal Reporter Supp. 492, because the provision therefor was not set forth in the caption of the bill wherein said Section (b) was enacted, and declaring an emergency."

S. B. No. 426, "An Act to amend Article 5885 of the Revised Civil Statutes of Texas, 1925, so as to define the assistance which counties, cities and towns may render to the National Guard, validating certain donations heretofore made, and declaring an emergency."

S. B. No. 421, "An Act to amend Article 1323 of Revised Civil Statutes of 1925, as amended by House Bill No. 626, Chapter 235, Acts of the Regular Session of the Fortieth Legislature, as amended by Senate Bill No. 129, Acts of the Regular Session of the Forty-sixth Legislature, so as to provide for the length of terms which directors may be elected to and serve for corporations formed under Subdivision 7 of Chapter 1, Title 32, Revised Civil Statutes of 1925, repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 428, "An Act to amend Article 5790 of the Revised Civil Statutes of Texas, 1925, relating to the powers of the Adjutant General of the State of Texas, and declaring an emergency."

S. B. No. 24, "An Act amending Subdivision (a) of Section 9 of Article IV of Chapter 495 of the Acts of the Third Called Session of the Forty-fourth Legislature, so as to limit the operation of said subdivision



to purchase money notes and obligations secured by any written instruments evidencing a lien or retention of title which are filed or recorded in the office of the county clerk under the registration laws of this State, and to exempt from its provision notes and obligations or instruments securing same taken by or on behalf of the State of Texas or any corporate agency or instrumentality of the State of Texas, in carrying out a governmental purpose as expressed in any Act of the Legislature of the State of Texas, and declaring an emergency."

S. B. No. 434, "An Act authorizing the Board of Control and Governor to execute deed and effect sale and transfer of one-half ( $\frac{1}{2}$ ) acre of land in Upshur County, Texas, describing said land by metes and bounds; providing for deed and mode and manner of executing same; providing for consideration of said deed, and declaring an emergency."

S. B. No. 264, "An Act granting permission to Mount Olivet Cemetery Co., etc., to sue the State Highway Department, and declaring an emergency."

S. B. No. 269, "An Act amending Article 4006 of the Revised Civil Statutes of Texas of 1925, relating to granting of free passes, and declaring an emergency."

S. B. No. 272, "An Act to repeal Section 17 of Article 8308, Revised Civil Statutes of 1925, and declaring an emergency."

S. B. No. 340, "An Act granting permission to I. H. Mitchell and wife, Mrs. I. H. Mitchell, to bring suit against the State, etc., and declaring an emergency."

S. B. No. 214, "An Act amending Article 1645 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session, and as amended by Acts of the Forty-fifth Legislature, First Called Session by adding thereto Article 1645d-2, fixing the compensation of the County Auditors of every county having a population of not less than forty-nine thousand, one hundred (49,100) and not more than fifty-one thousand (51,000) inhabitants, according to the 1930 Federal Census, and prescribing how same shall be paid, repealing all laws in conflict therewith, and declaring an emergency."

S. B. No. 420, "An Act prescribing

the method for the annexation of unoccupied territory contiguous and adjacent to the city limits of certain incorporated cities or towns, on petition of the owners of such territory, etc., and declaring an emergency."

S. B. No. 191, "An Act amending Section 67, of Chapter 61, Acts of the Second Called Session of the Forty-first Legislature, relating to foreign building and loan associations doing business in this State, and declaring an emergency."

S. B. No. 334, "An Act authorizing the Commissioners' Court of McMullen County to pay bounties on coyote scalps in said County to preserve game, etc., and declaring an emergency."

S. B. No. 326, "An Act to amend Chapter 184 of the Regular Session of the Forty-fourth Legislature creating the Texas National Guard Armory Board and defining its powers and duties, etc., and declaring an emergency."

#### HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Robinson and Mr. Thornton:

H. B. No. 1016, A bill to be entitled "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; making this Act cumulative of all General Laws on the same subject, such General Laws to apply except in case of conflict when the provisions of this Act shall control, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Westbrook:

H. B. No. 1017, A bill to be entitled "An Act making it unlawful to catch by the use of seine of not less than three (3) inch mesh any fish in the waters of the Sabine River in Sabine County. Repealing all laws and parts of laws in conflict herewith to the extent of the conflict only, provided

this Act shall not apply to other streams in Sabine County, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

Mr. Wood asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 1018.

There was no objection offered.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Wood, Mr. Harper and Mr. Tennant:

H. B. No. 1018, A bill to be entitled "An Act regulating the use of boats upon the waters of Caddo Lake; prescribing who shall enforce the law; prescribing the penalty for violation of said law, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

Mr. Reed asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 1019.

There was no objection offered.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Reed:

H. B. No. 1019, A bill to be entitled "An Act amending Section 4 of Chapter 478 of the Regular Session of the Forty-fifth Legislature, 1937, same being House Bill No. 144; providing for an appropriation from the Architect's Registration Fund to pay salaries, compensations, and other expense of the Board of Architectural Examiners; providing certain excess funds to be diverted to the General Revenue Fund of the State; providing salary of the Secretary-Treasurer and certain compensations to other members of said Board, and declaring an emergency."

Referred to the Committee on Appropriations.

Mr. Hamilton asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 1020.

There was no objection offered.

The Speaker then laid the bill before the House, it was read first time

and referred to the appropriate committee, as follows:

By Mr. Hamilton:

H. B. No. 1020, A bill to be entitled "An Act providing amount of payment to the Executive Committee, in order to have name placed on ticket for Representative in certain counties; repealing all laws and parts of laws in conflict herewith to the extent of the conflict only, and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

## ADJOURNMENT

On motion of Mr. Hartzog, the House, at 6:15 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

## APPENDIX

### STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

State Affairs: House Bills Nos. 132 and 1011.

School Districts: House Bills Nos. 984, 1006 and 1015.

### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS Committee Room,

Austin, Texas, April 21, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 106, Memorializing the Congress of the United States to enact a certain law requiring that all American produced cotton be sold on the net weight basis.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 21, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 94, Authorizing the Department of Public Health to avail itself of all such grants, donations, and gifts for the purpose of clearing

and improving of the pollution prevailing in public streams in this State.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1004, A bill to be entitled "An Act providing and directing County Clerks, District Clerks, and other officials to issue certificates and certified copies of instruments in their respective offices to ex-service men of the World War and the Spanish-American War, etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1001, A bill to be entitled "An Act conveying to the United States of America the free and uninterrupted use, liberty, and easement of, in, and to certain area of three (3) miles square or larger in Nueces County Navigation District, in Nueces Bay, in Nueces County, Texas, for the erection and establishment of forts, military stations or camps, magazines, arsenals, dock yards, barracks, light houses, naval yards, naval bases, naval air bases or stations, channels, approaches for battleships, or for other needful military purposes; etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 792, A bill to be entitled "An Act to amend Article 6053 of the Revised Civil Statutes of Texas of 1925 by providing regulations for the design, installation, construction and operation of containers and per-

tinent equipment for the storage, handling and transportation of butane or liquefied petroleum bases, empowering the Railroad Commission to alter and amend such regulations; providing that persons, firms and corporations engaged in the manufacture and/or assembly, sale or installation of liquefied gas storage and dispensing apparatus, and/or handling and/or transporting liquefied petroleum gas must have a license and must file with the Railroad Commission of Texas a bond protecting the public from injuries or loss arising from a violation of this Act; providing for filing an additional bond and/or additional security upon order of the Railroad Commission; providing for hearings on matters relating to the subject of this Act and on complaints filed against licensees hereunder; providing for attendance of witnesses at such hearings and rules for conducting the same; providing for appeals from the decision of the Railroad Commission; providing that funds derived from fees shall be used for the administration and enforcement of this Act and that any excess remaining shall go to the General Fund; providing for the giving of notice to utilities and licensees by the Commission of the proposed rules and regulations to be adopted and promulgated and the filing of written exceptions and objections by parties affected by such rules and regulations; providing that if any clause, provision, section or part of this Act shall be adjudged invalid, the remainder of this Act shall not be affected thereby, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 991, A bill to be entitled "An Act making it unlawful to shoot, take, trap, snare or otherwise kill any wild quail in Camp County, Texas, other than on Friday of each week during the open season and on legal holidays, during such period, affixing penalty for violation thereof; repealing all laws and parts of laws in con-

flict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 989, A bill to be entitled "An Act to amend Article 1923 of the Revised Civil Statutes of Texas of 1925, concerning the extension of terms of District Courts, so as to provide for the extension of the term of any trial court of record, and providing the procedure for extension and adjournment, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 988, A bill to be entitled "An Act amending Article 36 of the Revised Penal Code of the State of Texas, 1925 Revision, providing and naming when intoxication and use of narcotics shall mitigate the offense, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 987, A bill to be entitled "An Act to create and establish a perpetual, public charitable, non-profit body corporate, to be denominated 'Navarro Community Foundation', domicile at Corsicana, Navarro County, Texas, of which Frank Neal Drane, now deceased, was the initial patron-donor; naming the trustees of said Foundation; empowering said Foundation to extend its aid to any one or more or all of the following public charitable purposes: (1) Religion, (2) education, (3) relief of human suffering, (4) public civic betterment,

(5) relief of the worthy poor through organized agencies, (6) the aid of scientific endeavor for the betterment of mankind; empowering said Navarro Community Foundation to own, acquire and dispose of property in furtherance of its purposes, and authorizing it to sue and be sued in its corporate capacity; extending its facilities to and inviting the aid of other patron-donors inclined to support its charitable purposes; providing that its Board of Managing Trustees shall be self-perpetuating and shall never be less than five (5) nor more than thirteen (13) in number; defining the powers and duties of members of the Board of Managing Trustees; providing for the absorption, merger, consolidation, dissolution and/or liquidation of Navarro Community Foundation; declaring this Act to be a public one, judicial notice of which shall be taken in all courts; exempting from taxation the properties and assets, income and corpus, of Navarro Community Foundation, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 981, A bill to be entitled "An Act repealing Section 5 of House Bill No. 1035, Acts of the Regular Session of the Forty-fifth Legislature regulating fishing in Wood County, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1000, A bill to be entitled "An Act applicable to the Counties of Mason, Menard, Kerr, Schleicher, Crockett, Sutton, Kimble, Real, Edwards, Blanco, Llano, Kendall, Gillespie, El Paso, Hudspeth, Culberson, Val Verde, Kinney, Maverick, Terrell and Brewster, State of Texas; requiring a Resident Hunting License of any resident citizen of this State hunting

in said Counties, with certain exemptions; requiring a Resident Fishing License of any resident citizen of this State fishing in said Counties, with certain exemptions; providing that no such fishing license shall be necessary in salt water; providing for the remittance to the Game, Fish and Oyster Commission of all funds collected under the provisions of this Act and providing for the disposition of same; providing suitable penalties for violation of any provision of this Act; repealing all laws, in so far as they conflict with any provision of this Act; providing the rule of construction, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 997, A bill to be entitled "An Act applicable to the County of Kerr, State of Texas, providing the season for taking or attempting to take fish from the fresh public waters of said County, or the tributaries of said waters, and providing suitable penalty for violating any provision of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 996, A bill to be entitled "An Act applicable to the County of Kimble, State of Texas, providing the method for taking fish from the public waters of Kimble County, Texas; providing the daily bag limit of fish; providing for a closed season in said County; providing penalties, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 969, A bill to be entitled

"An Act to amend Article 1006 of the Code of Criminal Procedure of Texas of 1925, Title 14, by providing for the payment of expenses in extradition cases; authorizing counties to pay certain expenses, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 946, A bill to be entitled "An Act providing that in certain counties that it shall be unlawful for any person to trap or set a trap or deadfall on the inclosed or uninclosed land of another without the consent or permission of the owner of said land, and so that it shall be unlawful for any person, at any time, to trap or kill upon the posted or inclosed or uninclosed land of another, or be in possession of a muskrat or other furbearing animal or the hide of such animal, taken from such land, without the consent of the owner or lessee of such land; providing a penalty, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 960, A bill to be entitled "An Act to create a police pension system for all cities in this State having a population in excess of 290,000, according to the preceding or any future Federal Census; providing for the creation of a policemen's relief and retirement fund for such cities; providing that said fund shall be administered by a pension board; providing who shall participate in said pension fund; providing how said pension board shall be constituted, appointed, and organized, and providing the duties of said pension board; providing that the city treasurer shall be the treasurer of such fund, and defining his duties; providing that a per capita contribution of members of such police departments shall be paid into said fund, and providing for the

proportionate reductions in salary for the purpose of making such contribution; providing for the segregation of a portion of general pension funds on hand to be allocated to said police pension funds; providing authority for members of such police departments to assign past due salary to said fund; providing that such cities may make appropriations from the general fund into said pension fund, and providing other methods for the raising of moneys for said pension fund; providing authority for investing moneys of said pension fund; providing that no benefit shall be paid out of any such fund prior to January 1st, 1942; providing for the payment of a retirement pension and the issuance of retirement pension certificates; providing for the payment of total and permanent disability benefits and the issuance of certificates thereof; providing for the payment of benefits to certain relatives and dependents in the event members of such police departments shall die as a result of injuries or sickness incurred in line of duty; providing for payment to certain relatives and dependents in the event of the death of pensioners or those entitled to pensions; providing for refunds to members who leave such police departments; providing for reductions in benefits in the event of depletion of such pension fund; providing for legal service and the employment of an actuary; providing for the exemption from legal process, and other protection for such pension funds; providing a savings clause; providing a method of construction of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 958, A bill to be entitled "An Act providing for a budget system in counties of 350,000 inhabitants or more as shown by the last preceding Federal Census, and the procedure thereunder, and the enforcement thereof, and for reports with respect to said budget, and the finances of said Counties; and providing for the contents of said reports and their publication; and repealing

all laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 963, A bill to be entitled "An Act amending Article 768 of the Code of Criminal Procedure of the State of Texas of 1925, as amended by Senate Bill No. 261, Chapter 86, page 129, Acts of the Regular Session of the Forty-second Legislature, 1931, vesting in trial judges discretionary authority to credit defendants in criminal cases with the time spent in jail awaiting trial; and providing and vesting in trial judges discretionary authority to credit defendants in criminal cases with time spent in jail after trial and conviction, in all cases where defendants fail to give bond or enter into recognizance; providing such discretion shall not apply in cases where bond and/or recognizance is not permitted by law, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 962, A bill to be entitled "An Act amending Article 2843 of the Revised Civil Statutes of the State of Texas, providing for a uniform free text book system, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 20, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 938, A bill to be entitled "An Act to make it unlawful to take, hunt, trap, shoot, or kill any deer and/or wild turkey for a period of three (3) years in Taylor County,

Texas; fixing penalties, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 13, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 971, A bill to be entitled "An Act fixing the compensation of Tax Collector-Assessor, County Clerk, District Clerk, Sheriff and County Auditor in all counties in this State having a population of not less than forty-eight thousand, five hundred and forty (48,540), and not more than forty-eight thousand, five hundred and eighty (48,580), according to the last Federal Census, or any subsequent Federal Census; fixing mode and manner of payment of such salaries; fixing effective date; repealing all laws and parts of laws in conflict herewith, to the extent of the conflict only, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 24, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 153, A bill to be entitled "An Act empowering the courts of the State of Texas having original jurisdiction of Criminal actions to suspend the imposition or execution of sentence and to place defendant on probation under certain conditions; specifying conditions of probation which, among others, may be imposed; providing for investigation by Probation Officers, of the defendants seeking to come within the provisions of this Act; prescribing the period of probation and any extensions thereof; amending Articles 776, 777 and 778, Code of Criminal Procedure of Texas; providing for the discharge of defendants who have observed the conditions of probation imposed by the Courts and the legal effect of such discharge; providing for the arrest, with or without warrant, of defendants on probation, and for the reimposition of sentence without jury trial in the event the conditions of proba-

tion have been violated; providing that the Court may require bond of the defendant before releasing him on probation; and fixing the conditions of said bond; providing for the appointment of Probation Officers and the method thereof, and making provision for their compensation and for their necessary expenses, and making an appropriation therefor, and for the bonding of such Probation Officers as shall handle moneys; authorizing the removal or suspension of Probation Officers under certain conditions; requiring the services of such Probation Officers to be available, under certain conditions, to Judges of other Courts, and to Parole Boards in the State of Texas for supervision of paroled convicts; prescribing the duties of such Probation Officers and the powers of such Officers; providing that information obtained by said Officers shall be privileged; providing for the transfer of probationers from one district to another under certain conditions; directing the Commissioners' Court to provide office space for said probation Officers; designating 'Chief' and 'Assistant' Probation Officers; retaining the effectiveness of the present suspended sentence law as to all defendants now under such sentence; repealing Articles 776a, 779 and 780, Code of Criminal Procedure of Texas, but Articles 779 and 780 shall continue in effect as to all persons now at liberty under suspended sentence; repealing all laws or parts of laws in conflict herewith; providing that if any part of this Act is declared unconstitutional it shall not affect the validity of the remainder of the Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 24, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 108, A bill to be entitled "An Act conferring and relinquishing to the Supreme Court full rule-making power in Civil Judicial proceedings, repealing all laws and parts of laws governing practice and procedure in civil actions, such repeal effective on and after January 1, 1940, providing that no substantive law or part thereof is thereby repealed; authoriz-

ing and empowering the Supreme Court by general order to continue such statutes in force as rules of the Court; investing the Supreme Court with full rule-making power and fixing the time for such to become effective, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 24, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 61, A bill to be entitled "An Act amending Article 4604C of the Revised Texas Statutes requiring a medical certificate from the woman before a marriage license can be issued."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 24, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 456, A bill to be entitled "An Act amending Article 7345, Chapter 10, Title 122, Revised Civil Statutes of the State of Texas, of 1925 as amended by Acts of the Forty-third Legislature, First Called Session, 1933, page 271, Chapter 98, as amended by Acts of the Forty-fourth Legislature, 1935, page 415, Chapter 165, Section 1 as amended by Senate Bill No. 477, Acts of the Forty-fifth Legislature, 1937, as amended by House Bill No. 456, Acts of the Forty-fifth Legislature, 1937, by adding thereto a new Article to be numbered 7345d, conferring on Commissioners Courts the power to reopen and reconsider any assessment for taxes, whether on the rendered or unrendered rolls, and whether current or delinquent upon the application of the owner of such property, or his duly authorized agent, when the assessment is alleged to be discriminatory, or the property rendered for more than its true taxable value, or where said property has greatly depreciated in value, or where by reason of the accumulation of taxes, penalties, interest and costs, enforced collection would be inequitable or confiscatory;

providing for hearings on such applications, for certified copies of any such orders passed to be furnished the State Comptroller and Assessor-Collector; providing for the collection of penalties, interest and costs on adjusted assessments and prohibiting Commissioners' Courts from remitting such penalties, interest and costs; extending to incorporated cities and towns, independent school districts having their own Assessor-Collector and Boards of Equalization, irrigation and water improvement districts, and all other governmental agencies the benefit of this Act, after proper ordinance, order or resolution, providing for a Board of Equalization in such cases, repealing all laws in conflict with this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 24, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 112, Authorizing a loan of certain highway equipment.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 25, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 113, Appointing a committee to investigate the possibility of erecting a State office building with the available cash of the Permanent School Fund.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

### SIXTY-THIRD DAY

(Wednesday, April 26, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Allison
Allen	Alsup